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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,123	10/04/2004	Norman Understein	2802-34 (AMK)	6620
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EXAMINER				
BASTI, ABDUL				
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3694				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/510,123

**Applicant(s)**

UNDERSTEIN, NORMAN

**Examiner**

ABDUL BASIT

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 11-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to Applicant's remarks received on 12/28/2007.  
In light of Applicant's remarks, the Office is issuing a final rejection.

#### ***Applicant's Remarks***

1. Claims 1-9 and 11-17 are pending. Claim 10 has been cancelled.
2. Applicant notes that claims 16 and 17 were not rejected. This is incorrect. Claims 16 and 17 were rejected in a previous office action. The reasoning for claims 16 and 17 is the same as the rejection for claim 1.
3. Applicant argues that claims 1-9 and 11-17 have overcome the 35 USC 102 and 35 USC 103 rejections. The Office disagrees.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by ISSA (US Pub. No. 2003/0093355).

***Regarding claims 1, 16 and 17:***

ISSA teaches a method of processing funds between a transferor and a transferee, at least the transferor having a transferor deposit sub-account administered via a depository administrator, the depository administrator maintaining a master account at a financial institution, the method comprising:

- (a) the transferor accessing the depository administrator via a global network; (see ¶ 63-65)
- (b) the transferor requesting a transfer or hold of funds in the transferor deposit sub-account to or for the benefit of the transferee; (see ¶ 63-65)
- (c) if the transferee does not have a transferee deposit sub-account administered via the depository administrator, providing the transferee an opportunity to establish the transferee deposit sub-account; (see ¶ 63-65) and
- (d) the depository administrator processing the funds between the transferor deposit sub-account and the transferee deposit sub-account, wherein each of the sub-accounts forms part of the master account such that a transfer of funds between sub-accounts does not affect a balance in the master account. (see ¶ 63-65)

***Response to Applicant's Remarks***

Applicant argues that ISSA does not teach a master account. The Office disagrees. ISSA teaches sub-accounts. It is understood that the use of the "sub" prefix denotes that an item is part of a larger group. A sub-account teaches that it is part of a larger account which is equivalent to a master account.

Applicant argues that ISSA does not teach that the master account balance does not change when there is a transfer between different sub-accounts. Again, the Office

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disagrees. For example, a main account is made up of two sub-accounts, X and Y. X has \$100 and Y has \$200. This would mean that the main account will have a total of \$300. If \$50 is transferred from X to Y, then X will have \$50 and Y will have \$250, and the main/master account will still have a balance of \$300.

Applicant argues that this is not inherent, and articulates several different Federal Circuit decisions to support the Applicant's position. The Applicant argues that one of ordinary skill in the art would understand that the unmentioned feature at issue is necessarily present in the reference.

A person of ordinary skill in the art would understand that by reading ISSA, transferring money between different sub-accounts of a master account would result in no change in the balance of the master account.

***Regarding claim 14:***

ISSA teaches a method according to claim 1, wherein the depository is a bank. (see ¶¶ 63-65). A bank is a financial institution.

***Regarding claim 15:***

ISSA teaches a method according to claim 1, wherein the depository is a retail establishment. (see ¶¶ 63-65). Since banks are called retail banks, ISSA also teaches a retail establishment.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over ISSA (US Pub. No. 2003/0093355) in view of Lai (US Pub. No. 2001/0037290).

***Regarding claim 6:***

Lai, not ISSA, teaches a method according to claim 1, wherein step (d) is practiced by holding the funds in the transferor deposit sub-account until receiving confirmation that an event has occurred. (see ¶ 35)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Lai. Motivation to modify exists because confirmation helps to minimize losses.

***Regarding claim 7:***

Lai, not ISSA, teaches a method according to claim 6, wherein the confirmation that an event has occurred comprises confirmation by the transferor. (see ¶ 35)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Lai. Motivation to modify exists because confirmation helps to minimize losses.

***Regarding claim 8:***

Lai, not ISSA, teaches a method according to claim 6, wherein the confirmation that an event has occurred comprises confirmation of product delivery. (see ¶ 37)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Lai. Motivation to modify exists because confirmation helps to

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minimize losses.

***Regarding claim 9:***

Lai, not ISSA, teaches a method according to claim 6, wherein the confirmation that an event has occurred comprises confirmation of service completion. (see ¶ 37)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Lai. Motivation to modify exists because confirmation helps to minimize losses.

3. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over ISSA (US Pub. No. 2003/0093355) in view of Vasic (US Pub. No. 2001/0034676)

***Regarding claim 11:***

Vasic, not ISSA, teaches a method according to claim 1, further comprising issuing automated teller machine (ATM) cards to holders of deposit sub-accounts, and enabling the transferor and transferee to deposit funds or withdraw available funds via their respective ATM cards. (see ¶ 26-27)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Vasic. Motivation to modify exists because use of an ATM provides for a convenient method of transferring and withdrawing funds.

***Regarding claim 12:***

Vasic, not ISSA, teaches a method according to claim 11, further comprising, prior to step (a), the transferor depositing funds into the transferor deposit sub-account using the transferor's ATM card, and after step (d), the transferee withdrawing funds from the transferee deposit sub-account via the transferee's ATM card. (see ¶ 26-27)

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Vasic. Motivation to modify exists because use of an ATM provides for a convenient method of transferring and withdrawing funds.

***Regarding claim 13:***

Vasic, not ISSA, teaches a method according to claim 11, further comprising, after step (d), the transferee withdrawing funds from the transferee deposit sub-account via the transferee's ATM card. (*see* ¶¶ 26-27)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Vasic. Motivation to modify exists because use of an ATM provides for a convenient method of transferring and withdrawing funds.

3. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over ISSA in view of Ranzini (US Pub. No. 2002/0065784).

***Regarding claim 2:***

Ranzini, not ISSA, teaches alerting the transferee via E-mail that the transfer or hold of funds has been requested. (*see claims 1-10 of Ranzini*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Ranzini. Motivation to modify exists because email is an efficient method of communicating a transaction.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over ISSA in view of Ranzini (US Pub. No. 2002/0065784) and in further view of Naylor (US Pat. No. 6,625,642).

***Regarding claim 3:***



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Naylor, not ISSA, teaches that an E-mail address is compared with stored E-mail addresses. (*see column 4, lines 1-10, figure 7A*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify ISSA with Naylor. Motivation to modify exists because using email affirm identity is an efficient method of preventing fraud, since emails are unique.

***Regarding claim 4:***

ISSA teaches providing a link to the depository administrator enabling the transferee to establish the transferee deposit sub-account. (*see ¶¶ 63-64*).

***Regarding claim 5:***

Ranzini, not ISSA, teaches the step of alerting the transferee via E-mail further comprises providing a link to the transferee deposit sub-account. (*see claim 23 of Ranzini*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schutzer with Ranzini. Motivation to modify exists because email is an efficient method of communicating a transaction.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDUL BASIT whose telephone number is (571)272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/aqb/

/James P Trammell/

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Supervisory Patent Examiner, Art Unit 3694

**Application Number****Application/Control No.**

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**Examiner**

ABDUL BASIT

**Applicant(s)/Patent under  
Reexamination**

UNDERSTEIN, NORMAN

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